

1 REMARKS

2 An IDS is filed herewith which cites the patents which are applicable to the invention which
3 is disclosed in the specification.

4 The claims have also been amended in order to attempt to address the §112 objections raised
5 by the Patent and Trademark Office.

6 Since the Patent and Trademark Office is not suggesting any particular patent is a particular
7 problem in this case, the following discussion of the prior art is to give the Patent Office a better idea
8 of what is being claimed based the prior art.

9 The prior art shows a mechanism for dealing with how numbers are stored and associated
10 with telephone calls. See for example 5,481,594.

11 The Hird patent 4,908,852 shows the placement of calls without a live operator utilizing
12 speech recognition and speech generator systems in order to obtain feedback in either direction.

13 The prior art also shows a mechanism for digitizing audio from an original analog signal
14 utilizing computers and though a central office. See for example Hird, et al, 4,920,558 and
15 4,920,562. These also show the use of a billing record associated with the call with the originating
16 and ending telephone numbers.

17 This is also shown in the third Hird patent 4,933,966.

18 There is also shown in the Hird patent 5,093,858, the fourth patent, which discusses the use
19 of microprocessors and speech feedback in order to generate information to people attempting to
20 place calls relative to the collection functions.

21 The Hird et al patent 5,093,858 shows the use of DTMF signals in order to communicate with
22 parties to a call and generating billing records and associated information generated in response
23 thereto.

1 The same type of collection and charge information is shown in the Hellworth patent,
2 4,935,956.

3 The Hellwarth et al patent 4,935,956 is another billing package patent utilizing voice
4 prompting in order to initiate the call and maintaining records of numbers and timings in a database
5 without human assistance.

6 The use of telephone signaling devices in order to initiate specific events is taught in Kitchin
7 et al, 5,319,702, although that is fairly limited process and has very little to do with the scope of the
8 invention herein other than the fact that telephones allow for digital communications and that analog
9 signals can be read in conjunction with those types of signals.

10 The Kitchin et al, 5,539,812, teaches the same type of sound generation and use technology
11 as the 5,319,702 patent and is subject to the same limitations.

12 Call storage is taught in at least some primitive fashions as in patent 4,727,577.

13 The recording of telephone conversations is also taught in Brown et al patent 5,535,261.

14 The McFarlen patent 5,796,811 shows a mechanism for sorting signals into audio signals and
15 determining pulse signals within the audio signal.

16 The Rice et al patent 4,712,230 shows a telephone monitoring and recording apparatus for
17 printouts on paper and identifies dialed numbers and the like.

18 The Diesel et al patent 4,723,273 shows the use of ISDN signals in order to switch the
19 location of a telephone call from one location to another.

20 Szlam et al patent 4,540,855 and patent 4,477,698 shows an improved combination of
21 hardware and digital signals processing for detecting interference type signals for telephone output.

22 Morganstein et al, 4,696,028 discloses a mechanism restricting certain telephone calls to a
23 switchboard based on dialed number information and provides audio confirmation of certain events

1 associated with the call.

2 The Dively et al patent, 4,698,840, shows a self contained telephone which prevents certain
3 types of calls which might otherwise be free.

4 The Smith et al patent, 4,027,109, teaches one method of diverting telephone calls providing
5 signals where desirable to parties informing them of the operation of the system.

6 Comella et al, patent 4,054,756, shows a method of charging different types of telephone
7 calls based on the information provided by the subscriber.

8 Matthews et al, patent 4,371,752, is a telephone system which interacts with a central
9 telephone office and teaches certain technology necessary in order for the calls to be completed.

10 Waldman, patent 4,626,630, is a method for forwarding telephone calls based on particular
11 preselected telephone rings.

12 The present invention differs from the prior art in providing for the storage of a conversation
13 in digital format and utilizing digital data from the call in order to control the call.

14 It also differs in embodiment mechanisms for marking and determining code words from the
15 recorded call for later play back, e.g. claims 20 and 23.

16 One aspect of the invention is utilizing data in order to determine whether or not the call
17 should be connected. (Page 8 lines 1-8)

18 The second part is to determine whether or not the call should be recorded. (Page 9 lines 1
19 -12).

20 Hence there is a separation of data into billing and call connecting data and into recording
21 and / or monitoring and / or play back types of data.

22 It is possible that the two types of data can overlap and the claims are drafted in such a way
23 as to attempt to indicate this type of overlap.

1 The idea of selecting data for purposes of determining if the call is billable and separately
2 selecting data in order to determine whether the call is recordable is novel and unobvious from the
3 prior art which fails to accomplish both of these tasks.

4 In grouping the data in such a way that there are datum groups comparable to ring digital data
5 in the at least one database is allowed for determining billing. (Page 15 lines 9-13)

6 Hence, one step in the process is determining parameters for completing or validating a call,
7 and another set of parameters are set up for subsequent control and recording and additional
8 parameters for marking a call.

9 There is also a potential step for alerting a user when certain telephone calls are made in
10 order to allow for live monitoring.

11 A method is also taught for associating the call data (origination number and destination
12 number and PIN number, for example) with the actual call itself. (See, for example, page 31 lines
13 22- page 32 line 8)

14 Yet another function of the receivable call data which is taught is determining the lowest cost
15 for an outgoing call. (Page 35 lines 9- 19) It is done with the central unit or the local telephones.

16 A marker is used in order to connect the CDR data (date, time, length of time, PIN number
17 and identifier, phone location, billing, word call, etc. from the content of the call. (Page 36 lines 18-
18 page 37 line 5)

19 20 CONCLUSION

21 For all of the reasons advanced above, Applicant respectfully submits that the application is
22 in condition for allowance and that action is earnestly solicited.

23 No additional fee is believed necessary.

1 The commissioner is hereby authorized to charge any additional fees which may be required
2 for this amendment, or credit any overpayment to Deposit Account 06-2129 in the name of Gregory
3 M. Friedlander.

4 In the event that an extension of time is required, or which may be required in addition to that
5 requested in a petition for an extension of time, the Commissioner is requested to grant a petition
6 for that extension of time which is required to make this response timely and is hereby authorized
7 to charge any fee for such an extension of time or credit any overpayment for an extension of time
8 to Deposit account 06-2129.

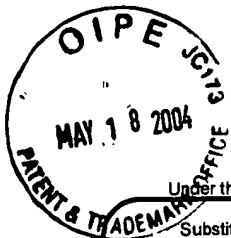
9 Respectfully submitted,

10
11
12
13
14
15
16
GREGORY M. FRIEDLANDER,
Registration No. 31,511
Gregory M. Friedlander & Associates, P.C.
11 South Florida Street
Mobile, Alabama 36606-1934
(251) 470-0303

17
18 **CERTIFICATE OF MAILING**

19 I hereby certify that this correspondence is being deposited with the United State Postal
20 Service as Express Mail NO. EV 278558353 US in an envelope addressed to: Commissioner of
21 Patents and Trademarks, Mail Stop Non-Fee Amendment, Alexandria, VA 22313 on the 12 day
22 of May, 2004.

23
24
GREGORY M. FRIEDLANDER



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/516,381
Filing Date	02/29/2000
First Named Inventor	JOSEPH C. ANDERS
Art Unit	2645
Examiner Name	SCOTT LOUIS WEAVER
Attorney Docket Number	

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,481,594	01/02/1996	SHEN ET AL	
		US- 4,920,558	04/24/1990	HIRD ET AL	
		US- 4,920,562	04/24/1990	HIRD ET AL	
		US- 4,933,966	06/12/1990	HIRD ET AL	
		US- 5,093,858	03/03/1992	HIRD ET AL	
		US- 4,935,956	06/18/1990	HELLWARTH ET AL	
		US- 5,319,702	06/07/1994	KITCHIN ET AL	
		US- 5,539,812	07/23/1996	KITCHIN ET AL	
		US- 5,535,261	07/09/1996	BROWN ET AL	
		US- 5,796,811	08/18/1998	MC FARLEN	
		US- 5,093,858	03/03/1992	HIRD ET AL	
		US- 4,027,109	05/31/1977	SMITH ET AL	
		US- 4,908,852	03/13/1990	HIRD ET AL	
		US- 4,723,273	02/02/1988	DIESEL ET AL	
		US- 4,712,230	12/08/1987	RICE ET AL	
		US- 4,477,698	10/16/1984	SZLAM ET AL	
		US- 4,540,855	09/10/1985	SZLAM ET AL	
		US- 4,696,028	10/22/1987	MORGANSTEIN ET AL	
		US- 4,698,840	10/06/1987	DIVELY ET AL	

RECEIVED

MAY 25 2004

Technology Center 2600

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	09/516,381
Filing Date	02/29/2000
First Named Inventor	JOSEPH C. ANDERS
Art Unit	2645
Examiner Name	SCOTT LOUIS WEAVER
Attorney Docket Number	

Sheet	2	of	2
-------	---	----	---

U. S. PATENT DOCUMENTS

[illegible]

RECEIVED

MAY 25 2004

Technology Center 2600

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.